



ZONING ADMINISTRATOR

Date: June 19, 2013
Applicant: Iglesia Cristiana Getsemani
Case No.: PCC-12-083
Address: 925 Hale Place, Suites B 9-11
Project Planner: Jeff Steichen

Notice is hereby given that on June 19, 2013, the Zoning Administrator considered Conditional Use Permit (CUP) application PCC-12-083, filed by Iglesia Cristiana Getsemani ("Applicant"), to operate a church ("Project") within an existing building located at 925 Hale Place, Suites B9-11 ("Project Site"). The Project Site is within the BC-1 Land Use District of the Eastlake II SPA Plan and is designated as Office Commercial (CO) within the City of Chula Vista's General Plan. The Project is more specifically described as follows:

The establishment of a church, with nursery and storage, in an existing 2,952 sq. ft. tenant space. Worship services will be on Sundays from 10a.m. to 12:30 p.m. and 2:00 p.m. to 4:00 p.m. Mid-week activities will be as follows:

Tuesdays	7:00-9:00 p.m.	Prayer Night
Wednesdays	7:00-9:00 p.m.	Bible Study
Thursdays	7:00-9:00 p.m.	Choir and Band Practice
Fridays	7:00-9:00 p.m.	Youth Service

Planning staff has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15332 of the State CEQA Guidelines. Thus, no further environmental review is necessary.

The Zoning Administrator, under the provisions of Section 19.14.030 A of the Chula Vista Municipal Code has been able to make the conditional use permit findings as required by CVMC Section 19.14.080:

- 1. That the proposed use at this location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.**

The church will provide a convenient place of choice for worship, particularly for citizens residing in Chula Vista and specifically in the EastLake community. The church will occupy floor space in an existing business complex where other various

uses operate. The use will be conducted at a convenient and accessible location that contains the amenities necessary to support the use

2. **That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The church, which will be located within an existing multi-tenant building in a business park, will not impact other businesses because of its limited hours of operation. The church will conduct two Sunday worship services and one Wednesday evening service. The only other tenant who operates on Sunday is the Lake View Community Church and other businesses within the business park are closed before the 7:00 p.m. service on Wednesday nights. Based upon the congregation size of both churches, there will be sufficient on-site parking to accommodate both congregations.

3. **That the use will comply with the regulations and conditions specified in the code for such use.**

Per CVMC Section 19.62.050(9), churches require one space per 35 seats in the auditorium. The Iglesia Cristiana Getsemani requires 19 parking spaces for up to 66 seats. The business park property has a total of 77 parking spaces available for all tenants. The existing church (Lake View Community Church) requires 58 parking spaces. Because these two churches are only in operation on Sundays and in the evening on Wednesdays, there is both sufficient parking to accommodate these uses during these times, as well as to accommodate all other tenants that operate during the daytime hours Monday through Friday. This permit includes conditions of approval, which require the project to operate in continuing compliance with all applicable City codes and regulations. These conditions will be enforced as long as the use operates at the location.

4. **That the granting of the Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.**

The church is a temporary use that provides a place of worship for the community. The General Plan and EastLake II SPA Plan BC-1 district recognize churches as a public and semi-public use. The EastLake II SPA Plan permits churches in the BC-1 zone with the approval of a conditional use permit. This temporary conditional use permit for the church will not affect the goals and objectives of the General Plan and EastLake II SPA Plan.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Conditional Use Permit PCC-12-083 as described above subject to the following conditions of approval:

I. Prior to the approval by the City of Chula Vista for the use of the subject property in reliance upon this approval, the Applicant shall satisfy the following requirement:

Planning Division

1. Prior to the approval by the City of Chula Vista for the use the subject property in reliance on this approval, the Applicant/Representative and Property Owner shall execute this document by making a true copy of this letter of conditional approval and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner


Date

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. The Applicant shall maintain the Project in accordance with the approved plans for PCC-12-083, date stamped approved on June 18, 2013, which includes a site plan and floor plans on file in the Planning Division, the conditions contained herein, and Title 19.
2. Worship services shall be held as follows: Sundays between 10 AM and 12:30 PM, and Sunday evenings between 2 PM and 4:30 PM; Additional activities will take place on Tuesday-Friday evenings from 7 PM to 9 PM. Any additional services or modifications to hours of operation shall be submitted to the Zoning Administrator for approval as an amendment to this Conditional Use Permit.
3. The size of the congregation/activity group shall be limited to 66 persons at any one time on Sundays and on Wednesday through Thursday evenings.
4. Maintain compliance with Fire and Building Code requirements. Any prior or future modifications to tenant's lease space require the additional applicable permits when appropriate.

5. Approval of this Project shall not waive the Applicant's responsibility to comply with all sections of Title 19 of the CVMC, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Conditional Use Permit.
6. The Applicant shall execute this Conditional Use Permit as the authorized use only. Any new use or modification/expansion of uses shall be subject to the review and approval of the Zoning Administrator.
7. This Conditional Use Permit shall expire five (5) years from the date of the Zoning Administrator's approval. The Applicant may request an extension 30 days prior to expiration date from this Conditional Use Permit approval. The Zoning Administrator shall review this Project for compliance with the conditions of approval and any applicable codes and regulation, and shall determine, in consultation with the Applicant, whether the Project shall be modified from its original approval, denied or extended.
8. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this Conditional Use Permit where indicated above. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this Conditional Use Permit and shall be binding on any and all of Applicant/Operator's successors and assigns.
9. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.
10. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.

APPROVED BY THE ZONING ADMINISTRATOR OF THE CITY OF CHULA
VISTA, CALIFORNIA, this 19th of June 2013.



Mary Ladiana
Zoning Administrator